

This listing of claims will replace all prior versions and listings of claims in the application.

**Listing of Claims:**

1. (original) Method for establishing an output torque control term in a powertrain control comprising:  
providing a first output torque contribution term corresponding to a first torque request signal;  
reducing the first output torque contribution term in accordance with a predetermined factor;  
and,  
combining the reduced first output torque contribution term with at least one other output torque contribution term into a resultant output torque control term.
2. (original) The method for attenuating an output torque control quantity as claimed in claim 1 wherein said predetermined factor is a function of the first torque request signal.
3. (original) The method for attenuating an output torque control quantity as claimed in claim 2 further wherein said predetermined factor is a function of a second torque request signal.
4. (original) The method for attenuating an output torque control quantity as claimed in claim 1 wherein said at least one other output torque contribution term corresponds to a brake torque request and said first torque request signal includes a throttle torque request.
5. (original) The method for attenuating an output torque control quantity as claimed in claim 4 wherein said predetermined factor is a function of the throttle torque request and the brake torque request.

6. (original) The method for attenuating an output torque control quantity as claimed in claim 4 wherein said predetermined factor generally a) trends in one direction as throttle request trends larger and b) trends in an opposite direction as brake request trends larger.

7. (withdrawn) Method for determining a powertrain output torque comprising:  
providing a brake torque contribution;  
providing a throttle torque contribution;  
attenuating the throttle torque contribution in accordance with predetermined criteria; and,  
combining the brake torque contribution and the attenuated requested throttle torque contribution to establish powertrain output torque.

8. (withdrawn) The method for determining a powertrain output torque as claimed in claim 7 wherein attenuating the throttle torque contribution comprises applying a variable gain thereto that generally a) trends in one direction as a throttle request trends larger and b) trends in an opposite direction as a brake request trends larger.

9. (withdrawn) The method for determining a powertrain output torque as claimed in claim 7 wherein brake torque contributions are provided in response to an operator brake request, throttle torque requests are provided in response to an operator throttle request and throttle torque contributions are attenuated by applying a variable gain thereto that generally a) trends in one direction as operator throttle requests trend larger and b) trends in an opposite direction as operator brake requests trend larger.

10. (original) A vehicular powertrain comprising:  
a prime mover coupled to an input of a transmission, said transmission including an output;  
and,  
a computer based controller including a storage medium having a computer program encoded therein for establishing torque at the transmission output in accordance with a plurality of torque contributions, said computer program including  
code for attenuating a first one of the plurality of torque contributions,

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code for combining the attenuated first one of the plurality of torque contributions with the others of the plurality of torque contributions into a desired output torque, and

code for establishing the torque at the transmission output in accordance with the desired output torque.

11. (original) The vehicular transmission as claimed in claim 10 wherein the first one of the plurality of torque contributions includes a throttle torque contribution, a second one of the plurality of torque contributions includes a brake torque contribution, and the code for attenuating includes code to reduce the first one of the plurality of torque contributions proportionally to a requested brake torque.

12. (original) The vehicular transmission as claimed in claim 11 wherein the code for attenuating further includes code to reduce the first one of the plurality of torque contributions inversely proportionally to a requested throttle torque.

13. (original) The vehicular transmission as claimed in claim 10 wherein the first one of the plurality of torque contributions includes a throttle torque contribution, a second one of the plurality of torque contributions includes a brake torque contribution, and the code for attenuating includes code to apply a variable gain to the first one of the plurality of torque contributions that generally a) trends in one direction as an operator throttle request trends larger and b) trends in an opposite direction as an operator brake request trends larger.

14. (original) The vehicular transmission as claimed in claim 10 wherein the transmission is an electro-hydraulically controlled transmission.

15. (original) The vehicular transmission as claimed in claim 10 wherein the transmission is an electrically variable transmission.

16. (new) Method for determining a powertrain output torque control term comprising:

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providing a brake torque contribution term;  
providing a throttle torque contribution term;  
attenuating the throttle torque contribution term in accordance with predetermined criteria;  
and,  
combining the brake torque contribution term and the attenuated throttle torque contribution term to establish said powertrain output torque control term.

17. (new) The method for determining a powertrain output torque control term as claimed in claim 16 wherein attenuating the throttle torque contribution term comprises applying a variable gain thereto that generally a) trends in one direction as a throttle request trends larger and b) trends in an opposite direction as a brake request trends larger.

18. (new) The method for determining a powertrain output torque control term as claimed in claim 16 wherein said brake torque contribution term is provided in response to an operator brake request, said throttle torque contribution term is provided in response to an operator throttle request and said throttle torque contribution term is attenuated by applying a variable gain thereto that generally a) trends in one direction as said operator throttle request trends larger and b) trends in an opposite direction as said operator brake request trends larger.